

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA,
Alexandria Division**

In re

Case No. 16-10580-RGM

Darrall A Griffin,

Chapter 13

Debtor.

OBJECTION TO CONFIRMATION

NOW COMES PROF-2013-M4 Legal Title Trust II, by U.S. Bank National Association, as Legal Title Trustee, secured creditor in the above-entitled Bankruptcy proceeding, holds the senior lien on the subject property generally described as **759 Delaware Ave SW 179, Washington DC 20024**, and hereby submits the following objections to the confirmation of that certain Chapter 13 Plan (the "Plan") proposed by Debtor:

LACK OF ADEQUATE FUNDING

The Plan is not adequately funded. 11 U.S.C. §1325(a)(5)(B)(ii) requires full payment of the allowed claim of this objecting Secured Creditor. The arrearage amount provided for in Debtor's Chapter 13 Plan is insufficient to cure the pre-petition arrears owed to Secured Creditor. The actual arrearage amount will be disclosed in a timely filed Proof of Claim and is anticipated to be approximately \$2,407.90. Accordingly, even if all payments are tendered pursuant to the Plan, they will not be sufficient to satisfy Secured Creditor's claim in full.

CONCLUSION

Any Chapter 13 Plan proposed by Debtor must provide for and eliminate the objections

Steven L. Higgs, Esq. (22720)
Steven L. Higgs, P.C.
9 Franklin Road, S.W.
Roanoke, VA 24011-2403
(540) 400-7990
Counsel for Secured Creditor

specified above in order to be feasible and to provide adequate protection to this objecting secured creditor. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor, be denied.

WHEREFORE, Secured Creditor PROF-2013-M4 Legal Title Trust II, by U.S. Bank National Association, as Legal Title Trustee prays that confirmation of the proposed Chapter 13 plan submitted by the Debtor herein be denied.

PROF-2013-M4 Legal Title Trust II, by U.S. Bank National Association, as Legal Title Trustee

By: /s/ Steven L. Higgs
Steven L. Higgs, Esq. (VSB # 22720)
Steven L. Higgs, P.C.

Certificate

I hereby certify that a true copy of the foregoing Objections to Proposed Chapter 13 Plan and Confirmation Thereof was served by regular mail or email this 29th day of April, 2016, on all necessary parties including: Thomas P. Gorman, Trustee, 300 N. Washington St., Ste. 400, Alexandria, VA 22314; Tommy Andrews, Jr., Esquire, Counsel for Debtor, Tommy Andrews, Jr. P.C., 122 North Alfred St., Alexandria, VA 22314; and, Darrall A Griffin, Debtor, 5672 Tower Hill Cir, Alexandria, VA 22315-4000.

/s/ Steven L. Higgs